

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1604-01  
Bill No.: HB 470  
Subject: Crimes and Punishment; Drugs and Controlled Substances; Law Enforcement  
Officers and Agencies  
Type: Original  
Date: February 24, 2003

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**FISCAL SUMMARY**

| <b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>                   |            |            |            |
|-----------------------------------------------------------------------|------------|------------|------------|
| FUND AFFECTED                                                         | FY 2004    | FY 2005    | FY 2006    |
|                                                                       |            |            |            |
|                                                                       |            |            |            |
| <b>Total Estimated<br/>Net Effect on<br/>General Revenue<br/>Fund</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

| <b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>               |            |            |            |
|----------------------------------------------------------------|------------|------------|------------|
| FUND AFFECTED                                                  | FY 2004    | FY 2005    | FY 2006    |
|                                                                |            |            |            |
|                                                                |            |            |            |
| <b>Total Estimated<br/>Net Effect on Other<br/>State Funds</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> |

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

| <b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>                          |                |                |                |
|-----------------------------------------------------------------------|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>                                                  | <b>FY 2004</b> | <b>FY 2005</b> | <b>FY 2006</b> |
|                                                                       |                |                |                |
|                                                                       |                |                |                |
| <b>Total Estimated<br/>Net Effect on <u>All</u><br/>Federal Funds</b> | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |

| <b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b> |                |                |                |
|--------------------------------------------|----------------|----------------|----------------|
| <b>FUND AFFECTED</b>                       | <b>FY 2004</b> | <b>FY 2005</b> | <b>FY 2006</b> |
| <b>Local Government</b>                    | <b>\$0</b>     | <b>\$0</b>     | <b>\$0</b>     |

### **FISCAL ANALYSIS**

#### **ASSUMPTION**

Officials from the **State Public Defender**, the **State Courts Administrator**, the **Office of Prosecution Services**, the **Department of Health and Senior Services**, and the **Department of Public Safety - Missouri State Highway Patrol** assume this proposal would not fiscally impact their agencies.

Officials from the **Department of Corrections (DOC)** state this proposal, if passed into law, requires the sale of defined methamphetamine precursor drugs as "behind-the-counter" sales. Penalty provisions for violations, the component of the proposal to have potential fiscal impact for DOC, is for a class A misdemeanor.

Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offenses(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through supervision provided by the Board of Probation and Parole (FY02 average of \$3.10 per offender, per day or

an annual cost of \$1,132 per offender).

ASSUMPTION (continued)

In summary, supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

| <u>FISCAL IMPACT - State Government</u> | FY 2004<br>(10 Mo.) | FY 2005    | FY 2006    |
|-----------------------------------------|---------------------|------------|------------|
|                                         | <u>\$0</u>          | <u>\$0</u> | <u>\$0</u> |
| <u>FISCAL IMPACT - Local Government</u> | FY 2004<br>(10 Mo.) | FY 2005    | FY 2006    |
|                                         | <u>\$0</u>          | <u>\$0</u> | <u>\$0</u> |

FISCAL IMPACT - Small Business

Small business that sell methamphetamines would be required to modify their store layout to put these drugs behind the counter.

DESCRIPTION

This proposal limits the sale of packages containing drug having a sole active ingredient of methamphetamine to two packages or any number of packages that contain a combined total of no more than six grams.

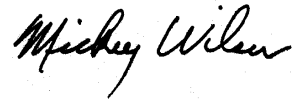
All packages of any drug having a sole active ingredient of methamphetamine shall be displayed and offered for sale only behind a counter where the public is not permitted or within six feet of the register on such counter. Alternatively, retailers may utilize an anti-theft system that specifically prevents the theft of such drugs from the store.

This act supersedes all municipal ordinances that are more restrictive than this act.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety -  
Missouri State Highway Patrol  
Department of Health and Senior Services  
Department of Corrections  
State Public Defender  
Office of Prosecution Services  
State Courts Administrator



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